12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

## **COMMISSIONERS**

3 MARC SPITZER, Chairman JIM IRVIN

WILLIAM A. MUNDELL JEFF HATCH-MILLER

<sup>5</sup> MIKE GLEASON

6 IN THE MATTER OF:

7 INTERSECURITIES, INC. 570 Carillon Parkway 8 St. Petersburg, FL 33716-1202 CRD# 16164

GREGORY RUSSELL BROWN and JANE DOE BROWN, husband and wife 16417 South 15<sup>th</sup> Drive Phoenix, AZ 85045 CRD# 2233684

Respondents.

7003 AUG 22 P 1: 28

AZ CORP COLLLISSION DOCUMENT CONTROL

DOCKET NO. S-03482A-03-0000

Arizona Corporation Commission

DOCKETED

AUG 2 2 2003

DOCKETED BY

## PROCEDURAL ORDER

## BY THE COMMISSION:

On May 6, 2003, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, for Restitution, for Administrative Penalties, and For Other Affirmative Action ("Notice") against Intersecurities, Inc. and Gregory Russell Brown and Jane Doe Brown ("Respondents") in which the Division alleged that Respondent have engaged in acts, practices, and transactions that constitute violations of the Arizona Securities Act ("Act").

On May 19, 2003, Alan Baskin of the law firm Roshka, Heyman & DeWulf filed a Notice of Appearance and Request for Hearing on behalf of Intersecurities, Inc.

On May 19, 2003, Michael S. Lamont, Burton W. Wiand and Maya M. Wolfe filed Motions for Admission Pro Hac Vice on behalf of Respondent Intersecurities, Inc.

On May 20, 2003, Gregory Brown and Karen Brown filed a request for a hearing in this matter.

On June 5, 2003, by Procedural Order, a pre-hearing was scheduled for July 9, 2003.

On June 5, 2003, Brian Schulman of the law firm Kutak Rock, LLP filed an Answer on behalf

28

of his clients, Gregory Brown and Karen Brown.

On June 9, 2003, Intersecutities and the Division filed a stipulated Motion to Extend Time for Filing Answer.

On June 20, 2003, the Commission issued a Procedural Order that granted the Motion to Extend Time to File Answer.

On June 23, 2003, Intersecurities filed its Answer and also requested a jury trial in this matter.

On July 9, 2003, the pre-hearing was held as scheduled. Intersecurities and the Browns appeared through counsel. The Division was also represented by counsel. During the course of the pre-hearing, the parties stated that, based upon the amount of discovery necessary in this matter, another pre-hearing would be necessary in this matter.

On July 11, 2003, the Browns filed a Motion to join Intersecurities' demand for a jury trial.

Accordingly, a pre-hearing conference should be scheduled in order to address the discovery issues, the presentation of evidence and the scheduling of discovery timelines and a hearing.

IT IS THEREFORE ORDERED that a pre-hearing conference shall be held on October 15, 2003 at 10:00 a.m. at the Commission's offices, 1200 West Washington, Phoenix, Arizona.

IT IS FURTHER ORDERED that any supplementation to Respondents' Motion for Jury Trial shall be filed with Docket Control on or before August 22, 2003.

IT IS FURTHER ORDERED that the Division's response to the Motion for Jury Trial shall be filed with Docket Control on or before September 12, 2003.

IT IS FURTHER ORDERED that Respondents' Reply shall be filed with Docket Control on or before September 26, 2003.

IT IS FURTHER ORDERED that the Motions for Admission Pro Hac Vice of Michael S. Lamont, Burton W. Wiand and Maya Wolfe are granted.

IT IS FURTHER ORDERED that the Ex Parte Rule is still in effect.

26 .

1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend or waive any portion of this Procedural Order by subsequent Procedural Order or by ruling at hearing. 2 DATED this day of August, 2003. 3 4 5 PHILIP J. DION III 6 ADMINISTRATIVE LAW JUDGE Copies of the foregoing mailed/delivered 7 this day of August, 2003 to: 8 Michael S. Lamont FOWLER WHITE BOGGS BANKER 501 East Kennedy Blvd., Ste. 1700 Tampa, FL 33602 10 11 Burton W. Wiand FOWLER WHITE BOGGS BANKER 12 501 East Kennedy Blvd., Ste. 1700 Tampa, FL 33602 13 Maya M. Wolfe 14 FOWLER WHITE BOGGS BANKER 15 501 East Kennedy Blvd., Ste. 1700 Tampa, FL 33602 16 Alan S. Baskin 17 **ROSHKA HEYMAN & DeWULF** 400 East Van Buren, Ste. 800 18 Phoenix, AZ 85004 19 Brian Schulman KUTAK ROCK, LLP 20 8601 North Scottsdale Road, Ste. 300 Scottsdale, AZ 85253-2742 21 Matt Neubert, Acting Director 22 Securities Division Arizona Corporation Commission 23 1200 W. Washington Phoenix, AZ 85007 24 ARIZONA REPORTING SERVICE, INC. 25 2627 N. Third Street, Ste. Three Phoenix, AZ 85004-1003 26 27 By: Molly Johnson Secretary to Philip J. Dion III

28